

BOARD MEETING DATE: May 3, 2013

AGENDA NO. 20

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee met on Friday, March 8, 2013. The Committee discussed various issues detailed in the Committee report. The next Administrative Committee meeting is scheduled for Friday, April 12, 2013, at 10:00 a.m.

RECOMMENDED ACTION:
Receive and file.

Dr. William A. Burke, Chair
Administrative Committee

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Attendance: Attending the March 8, 2013 meeting were Committee Members Chairman William Burke via teleconference and Mayor Dennis Yates and Supervisor Josie Gonzales at SCAQMD. Dr. Clark E. Parker, Sr., was unable to participate due to a previous commitment.

ACTION/DISCUSSION ITEMS:

1. **Board Members' Concerns:** None.
2. **Chairman's Report of Approved Travel:** Dr. William Burke met with State Legislators on air quality-related issues on March 20-21, 2013, in Sacramento, CA.
3. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** None.
4. **Report of Approved Out-of-Country Travel:** None.

APRIL AGENDA ITEMS

5. **Approve Transfer of Monies from the Health Effects Research Fund to the Brain & Lung Tumor and Air Pollution Foundation:** Executive Officer Dr. Barry Wallerstein advised that the Board previously adopted a policy that once a certain level assumed in the budget on revenues from fines and penalties was reached, a portion above that level would go to health effects research. In the past the Board has forwarded money to the Brain & Lung Tumor and Air Pollution Foundation, which was created by the Board. Since funds have not been transferred there for some time, staff is recommending the transfer of \$1,000,000. Dr. Wallerstein further advised that this item would also include forwarding of a research proposal for consideration of funding. Specifically, a proposal was received from Dr. Keith Black and his associates at Cedar Sinai Hospital to continue their air pollution-related cancer work. The proposal fits best with the Brain & Lung Tumor and Air Pollution Foundation. By transferring funds there, it will allow the foundation to give consideration to their proposal.

Moved by Gonzales; seconded by Yates; unanimously approved.

6. **Adopt Executive Officer's FY 2013-14 SCAQMD Budget and Work Program and CPI Fee Adjustment and Revise Board Member Assistant and Board Member Consultant Policy:** Chief Financial Officer Michael O'Kelly reported that this item requests approval of the Executive Officer's FY 2013-14 Balanced Budget as presented at the Board Retreat in March, with the exception that positions had been adjusted in accordance with the Board's approval of the reorganization of the Legal Office. In addition, this item proposes a revision to the Board Assistant/Board Consultant policy regarding the level of support provided to the Vice-Chair. Dr. Parker inquired whether the reorganization of the Legal Office had been completed. General Counsel Kurt Wiese responded that the actions approved by the Board had not yet been fully accomplished, but were well under way. Dr. Burke asked whether this would be accomplished by the next Board meeting. Mr. Wiese responded that one action was to create a new position of Investigator I and that, in fact, the position had been created. However, there have been grievances and unfair labor practice charges filed. Dr. Burke directed Mr. Wiese to keep the Board informed and keep moving forward. Dr. Burke commented that the reorganization was an excellent plan and he wanted it implemented as soon as feasible.

Moved by Gonzales; seconded by Parker; unanimously approved.

7. **Authorize Purchase of Audio-Visual System Upgrade:** Assistant DEO for Information Management Chris Marlia reported that this item is to upgrade the audio-visual system for the Conference Center, which includes the Hearing Board, control room, and all the conference rooms. Conference Room GB would also be upgraded with audio-visual equipment that would remain in place. A detailed engineering analysis was conducted for the upgrade and an RFP was released in December 2012 that included the engineering design. After reviewing the proposals, staff recommends Digital Networks Group, Inc. for \$1,196,000. Chairman Burke inquired whether the upgrade would include the Auditorium's electronic voting system. He commented that Supervisor Antonovich would appreciate that. Mr. Marlia responded that it does.

Moved by Gonzales; seconded by Parker; unanimously approved.

8. **SCAQMD Building Infrastructure Status Report:** Assistant DEO for Administrative and Human Resources Bill Johnson presented a status report regarding current projects under way for the building infrastructure. He noted to the committee the catastrophic leak in the Hearing Board Room that occurred in November 2011 and the reconstruction effort taken to remediate the damage. Mr. Johnson further reported on recommended improvements and replacements over the next three fiscal years, including their projected costs.
9. **Execute Contract to Conduct Engineering Analysis of Existing Cooling Tower Support Structures at Diamond Bar Headquarters:** Chairman Burke requested a motion on this item.

Moved by Yates; seconded by Gonzales; unanimously approved.

10. **Execute Contract for Landscape Maintenance at Diamond Bar Headquarters:** Chairman Burke requested a motion on this item.

Moved by Yates; seconded by Gonzales; unanimously approved.

11. **Execute and Amend Contract with Legal Counsel to Provide Representation in Employment Litigation:** Mr. Johnson reported that this item is to request an additional \$50,000 for the law firm of Fisher & Phillips LLP with regards to a series of ongoing employment litigation matters.

Moved by Yates; seconded by Gonzales; unanimously approved.

12. **Local Government & Small Business Advisory Group Minutes for the February 8, 2013 Meeting:** The attached are for information only from the Local Government and Small Business Assistance Advisory Group, minutes for the February 8, 2013 meeting.
13. **Review May 3, 2013 Governing Board Agenda:** Dr. Wallerstein reported that he sent a note to the Board that the City of Huntington Beach secured a letter from the Coastal Commission indicating that the Coastal Commission's consideration of Newport Beach's request to eliminate its fire rings would be heard in the mid-June to July timeframe. After consulting with the Chairman, staff is planning to take the fire pit issue, as directed by the Board, to the June Board meeting. The rest of Rule 444 and Rule 445 will be taken in May, given that a large number of individuals are expected at the June meeting to speak to the fire pit issue.

Secondly, Dr. Wallerstein advised that another item will be added to the May Board agenda that was not noted in the package that pertains to our program to help buy-down the cost of natural gas fire logs.

Lastly, Dr. Wallerstein requested direction from the Chairman regarding the issue of CEQA Reform, which was presented at the Board Retreat. The Legislative Committee spent a good deal of time going over some general principles regarding CEQA and applying those principles to specific legislation. The Legislative Committee Report will contain that information. The question is whether the Chairman desires a separate Board item under the Board Calendar or would he prefer they be under the Legislative Committee Report and appropriately noted in the Board agenda. Dr. Burke deferred to the Legislative Committee Chair. Supervisor Gonzales responded that, to avoid any oversight, it would be prudent to have the principles included in both the Legislative Committee Report and the Board Calendar.

14. **Other Business:** None.
15. **Public Comment:** None.

Meeting adjourned at 10:50 a.m.

Attachments

Local Government and Small Business Assistance Advisory Group Minutes for the February 8, 2013 Meeting



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, FEBRUARY 8, 2013 MEETING MINUTES

MEMBERS PRESENT:

Dennis Yates, Mayor, City of Chino and LGSBA Chairman
Felipe Aguirre, Councilmember, City of Maywood
Paul Avila, P.B.A. & Associates
Geoffrey Blake, Metal Finishers of Southern California/All Metals
Daniel Cunningham, Metal Finishing Association of Southern California
Jacob Haik, Office of Councilmember Joe Buscaino
Maria Elena Kennedy, Kennedy Communications
Rita Loof, RadTech International
Mary Ann Lutz, Mayor, City of Monrovia
Steve Mugg, South Orange County Representative, City of Mission Viejo

MEMBERS ABSENT:

Ronald Loveridge, Mayor, City of Riverside and LGSBA Vice Chairman
Greg Adams, L.A. County Sanitation District
Todd Campbell, Clean Energy
Lucy Dunn, Orange County Business Council
Kelly Moulton, Paralegal

OTHERS PRESENT:

Earl Elrod, Board Member Assistant (*Yates*)
Mark Abramowitz, Board Member Assistant (*Lyou*)
Marisa Perez, Board Member Assistant (*Mitchell*)
Ruthanne Taylor Berger, Board Member Assistant (*Benoit*)

SCAQMD STAFF:

Elaine Chang, Deputy Executive Officer
Ruby Fernandez, Senior Deputy District Counsel
Carol Gomez, Planning & Rules Manager
Kathryn Higgins, Program Supervisor
Elaine Hills, Air Quality Inspector II
Lori Langrell, Secretary
Jason Low, Atmospheric Measurements Manager
Guillermo Sanchez, Senior Public Affairs Manager

Agenda Item #1 – Call to Order/Opening Remarks

Chair Dennis Yates called the meeting to order at 11:35 a.m.

Agenda Item #2 – Approval of December 14, 2012 and January 11, 2013 Meeting Minutes/Review of Follow-Up/Action Items

Chair Yates called for approval of the meeting Minutes of December 14, 2012 and January 11, 2013. The Minutes were approved.

Mr. Derrick Alatorre will provide a report on the Washington D.C. trip during the March meeting.

There were no other action items that arose out of the February 8, 2013 meeting.

Agenda Item #3 – 2015 AQMP

Dr. Elaine Chang provided a presentation on initiation of the 2015 AQMP development process. Dr. Chang indicated that the focus of the 2015 AQMP was primarily ozone. Requirements discussed by Dr. Chang included the following: a 75% NOx emission reduction by 2032 for the 2006 8-hour ozone; a 65% NOx emission reduction by 2023 for the 1997 8-hour ozone; and to meet the 1-hour ozone standard by 2022, which was resubmitted in the 2012 AQMP and is still being updated to meet reduction obligations. Submittal of the State Implementation Program (SIP) is due on July 20, 2015. Some of the key challenges will be the substantial NOx reductions from mobile sources, providing a fair share control strategy with the least cost approach for the region, minimizing socioeconomic impacts, establishing public-private partnerships, and active participation from stakeholders. SCAQMD plans to continue the outreach program as part of the development process, which began with the first advisory group meeting on January 29, 2013. The next plan will have ongoing, concurrent planning activities conducted by the State, which will provide significant input to our regional plan.

Ms. Rita Loof suggested that District staff should not limit incentives to NOx sources in order to encourage voluntary emission reductions, and to also consider reductions in greenhouse gas contaminants. For example, facilities that use electric equipment with no combustion contaminants do not receive credits for their reductions; therefore, Ms. Loof recommends that the District consider options on how to encourage voluntary reductions.

Agenda Item #4 – Status of the AQMD Near Roadway Monitoring Network

Dr. Jason Low provided a status report on SCAQMD's Near Roadway Monitoring efforts, which included background and requirements necessary to implement the monitoring network, current activities being conducted, SCAQMD road segment ranking and site selection processes, and future candidate road segment considerations when designing the monitoring network. Dr. Low also informed the group of the tentative implementation schedule, the segment scoring criteria, and map of the possible locations.

Mr. Geoff Blake asked if there were similarities between the monitoring network and the MATES studies. Dr. Low indicated that the monitoring stations are near roadways, and the MATES were designed as part of SCAQMD's area-wide air monitoring stations, which are away from roadways. Some local stations can, however, get closer to rail yards and airports.

Mr. Steve Mugg inquired as to what database was used for the determination of the prevailing wind direction, and if each criterion was weighted during the formulation of selecting the sites. Dr. Low indicated that the District's meteorologists used a combination of our station wind data, as well as some regional and national websites. Dr. Low further explained that if traffic was given 50%, each of the five other elements, including meteorology, would contribute 10% towards the total score.

Agenda Item #5 –Annual Report on AB 2766 Funds from Motor Vehicle Registration Fees for FY 2010-11

Ms. Kathryn Higgins provided a report on the data collected on the AB 2766 Subvention Fund Program for FY 2010-11. Ms. Higgins explained that AB 2766 was signed into law in September 1990, which authorized a \$4.00 motor vehicle registration fee surcharge, and 40% of the monies are distributed back to local governments to implement projects that reduce emissions from mobile sources. The remaining 60% is allocated into SCAQMD's research and development and MSRC projects. The financial summary for the four counties within SCAQMD was reported, as well as the history of the projects and expenditures quantified. Each year the report is approved by SCAQMD's Governing Board and submitted to CARB.

Mr. Paul Avila inquired about the how the cities were funded. Ms. Higgins responded that the cities are funded according to their population size.

Mr. Avila asked how much the bicycle element is weighted in the funding. Ms. Higgins indicated that approximately 7% of spending is for bicycles - 25 projects, representing \$1.2 million in expenditures.

Ms. Mary Ann Lutz stated her interest in reviewing the report, and asked if there are details of what each local government is doing in the report. Ms. Higgins responded that there are reports going back to 2001/2002 on SCAQMD's website, which shows each category by city, the amount of funding received, the projects spent, emissions reductions, cost-effectiveness, and co-funding.

Mr. Jacob Haik indicated that it would be helpful if a two to three page simplified report be sent to elected officials, informing them of the monies available and the reporting mechanism. Mr. Haik added that it may be difficult at times to determine how to spend what little funding is available. Ms. Higgins replied that the funds are small, and typically elected officials approve projects being spent. SCAQMD has organized campaigns, sent out letters, and attended city council meetings. Further, SCAQMD staff held a summit in 2011 to educate elected officials on the available monies and encourage them to take an active role in giving the cities guidance on the types of projects spent with the money. Chair Yates added that City of Chino has paired AB 2766 funds with other funds, such as Carl Moyer, to save money.

Mr. Avila asked if the 1% spent for education was used for filters in air conditioning. Ms. Higgins responded that the funds are typically used for clean air type community projects that fall under that category. Chair Yates added that in Chino, the funds are used in promoting Healthy Chino events.

Ms. Lutz suggested that perhaps an effective way to start educating elected officials would be at Council of Government (COG) meetings.

Mr. Mugg asked if there is a sunset clause on the accumulation of funds. Ms. Higgins replied there is no sunset, and that most cities in their annual reports indicate the specific project they are using the monies for. SCAQMD staff conducts follow-ups where suspected money is growing, and urges the cities to spend down the funds.

Agenda Item #6 – Monthly Report on Small Business Assistance Activities

No comments.

Agenda Item #7 – Other Business

No comments.

Agenda Item #8 – Public Comment

No comments.

Adjournment

The meeting adjourned at 12:25 p.m.